

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|  |  |  |
|--|--|--|
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>  |  | ATTORNEY'S DOCKET NUMBER<br><b>2300-17767</b>                        |
| INTERNATIONAL APPLICATION NO.<br><b>US03/00657</b>   | INTERNATIONAL FILING DATE<br><b>1/8/2003</b> | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br><b>10/501,187</b> |
| TITLE OF INVENTION<br><b>GENE PRODUCTS DIFFERENTIALLY EXPRESSED IN CANCEROUS BREAST CELLS AND THEIR METHODS OF USE</b>   |  | PRIORITY DATE CLAIMED<br><b>January 8, 2002</b>                      |
| APPLICANT(S) FOR DO/EO/US<br><b>HANSEN, RHONDA</b>   |  |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |  |  |
| <p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office(RO/US)</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <input type="checkbox"/> is attached hereto.</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: <b>Communication, Paper copy of Sequence Listing, Certification of Sequence Listing, Postcard</b></p> |  |  |

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

|   |  |                               |  |                          |  |
|---|--|-------------------------------|--|--------------------------|--|
| U.S. APPLICATION NO. (If known, see 37 CFR 1.5) |  | INTERNATIONAL APPLICATION NO. |  | ATTORNEY'S DOCKET NUMBER |  |
| 10/501,187                                      |  | US03/00657                    |  | 2300-17767               |  |

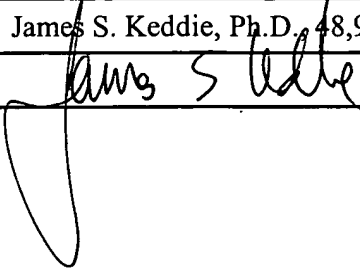
|  |        |  |            |                        |              |   |      |              |        |  |            |                    |       |  |            |  |  |  |            |    |  |  |  |
|--|--------|--|------------|------------------------|--------------|---|------|--------------|--------|--|------------|--------------------|-------|--|------------|--|--|--|------------|----|--|--|--|
| The following fees are submitted:<br>21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)).....\$300.00<br>22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))<br>If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0<br>All other situations .....\$200.00<br>23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))<br>If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0<br>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100.00<br>International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB .....\$400.00<br>All other situations .....\$500.00<br><b>TOTAL OF 21, 22 and 23 =</b> |        |  |            | <b>CALCULATIONS</b>    |              | <b>PTO USE ONLY</b>   |      |              |        |  |            |                    |       |  |            |  |  |  |            |    |  |  |  |
|  |        |  |            | \$                     |              |   |      |              |        |  |            |                    |       |  |            |  |  |  |            |    |  |  |  |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets or paper or fraction thereof.<br><table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td>Total Sheets</td> <td>Extra sheets</td> <td>Number of each additional 50 or fraction thereof (round up to a whole number)</td> <td>RATE</td> </tr> <tr> <td>- 100 =</td> <td>/50 =</td> <td></td> <td>X \$250.00</td> </tr> </table> Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).   |        |  |            | Total Sheets           | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | - 100 =      | /50 =  |  | X \$250.00 | \$                 |       |  |            |  |  |  |            |    |  |  |  |
|  |        |  |            | Total Sheets           | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE |              |        |  |            |                    |       |  |            |  |  |  |            |    |  |  |  |
| - 100 =  | /50 =  |  | X \$250.00 |                        |              |   |      |              |        |  |            |                    |       |  |            |  |  |  |            |    |  |  |  |
| <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td>CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td>RATE</td> </tr> <tr> <td>Total Claims</td> <td>- 20 =</td> <td></td> <td>x \$50.00</td> </tr> <tr> <td>Independent Claims</td> <td>- 3 =</td> <td></td> <td>x \$200.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIMS(S) (if applicable)</td> <td>+ \$360.00</td> </tr> </table> <b>TOTAL OF ABOVE CALCULATIONS =</b>  |        |  |            | CLAIMS                 | NUMBER FILED | NUMBER EXTRA  | RATE | Total Claims | - 20 = |  | x \$50.00  | Independent Claims | - 3 = |  | x \$200.00 | MULTIPLE DEPENDENT CLAIMS(S) (if applicable) |  |  | + \$360.00 | \$ |  |  |  |
|  |        |  |            | CLAIMS                 | NUMBER FILED | NUMBER EXTRA  | RATE |              |        |  |            |                    |       |  |            |  |  |  |            |    |  |  |  |
| Total Claims   | - 20 = |  | x \$50.00  |                        |              |   |      |              |        |  |            |                    |       |  |            |  |  |  |            |    |  |  |  |
| Independent Claims   | - 3 =  |  | x \$200.00 |                        |              |   |      |              |        |  |            |                    |       |  |            |  |  |  |            |    |  |  |  |
| MULTIPLE DEPENDENT CLAIMS(S) (if applicable)   |        |  | + \$360.00 |                        |              |   |      |              |        |  |            |                    |       |  |            |  |  |  |            |    |  |  |  |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.   |        |  |            |                        |              |   |      |              |        |  |            |                    |       |  |            |  |  |  |            |    |  |  |  |
| <b>SUBTOTAL =</b>  |        |  |            | \$                     |              |   |      |              |        |  |            |                    |       |  |            |  |  |  |            |    |  |  |  |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).  |        |  |            | \$                     |              |   |      |              |        |  |            |                    |       |  |            |  |  |  |            |    |  |  |  |
| <b>TOTAL NATIONAL FEE =</b>  |        |  |            | \$                     |              |   |      |              |        |  |            |                    |       |  |            |  |  |  |            |    |  |  |  |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property   |        |  |            | \$                     |              |   |      |              |        |  |            |                    |       |  |            |  |  |  |            |    |  |  |  |
| <b>TOTAL FEES ENCLOSED =</b>   |        |  |            | \$ -0-                 |              |   |      |              |        |  |            |                    |       |  |            |  |  |  |            |    |  |  |  |
|  |        |  |            | Amount to be refunded: |              | \$  |      |              |        |  |            |                    |       |  |            |  |  |  |            |    |  |  |  |
|  |        |  |            | Amount to be charged:  |              | \$  |      |              |        |  |            |                    |       |  |            |  |  |  |            |    |  |  |  |

a. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.  
 b. ☐ Please charge my Deposit Account No. 50-0815 in the amount of \$\_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.  
 c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0815. A duplicate copy of this sheet is enclosed.  
 d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:  
 Bozicevic, Field & Francis, LLP  
 1900 University Avenue, Suite 200  
 East Palo Alto  
 California  
 94303

SIGNATURE (12-15-2005)  
 James S. Keddie, Ph.D.  
 NAME  
 48,920  
 REGISTRATION NUMBER

|  |   |                          |                        |
|--|---|--------------------------|------------------------|
| <b>COMMUNICATION</b><br><br>Address to:<br>Mail Stop PCT<br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, VA 22313-1450   | Attorney Docket   | PP17767.004 (2300-17767) |                        |
|  | First Named Inventor  | HANSEN, RHONDA           |                        |
|  | Application Number  | 10/501,187               |                        |
|  | Confirmation No.  | 3472                     |                        |
|  | I. A. Filing Date   | January 8, 2003          |                        |
|  | Group Art Unit  |                          |                        |
|  | Examiner Name   |                          |                        |
| Title: "GENE PRODUCTS DIFFERENTIALLY EXPRESSED IN<br>CANCEROUS BREAST CELLS AND THEIR METHODS OF<br>USE"   |   |                          |                        |
| Dear Sir:<br><br>Please note that the Declaration and Fee in Response to Missing Parts are being submitted in a separate communication.<br><br>If any fees are found necessary please charge to deposit account 50-0815 order number 2300-17767. |   |                          |                        |
| <b>Firm Name</b>   | BOZICEVIC, FIELD & FRANCIS LLP  |                          |                        |
| <b>Individual Name</b>   | James S. Keddie, Ph.D.  |                          |                        |
| <b>Address</b>   | 1900 University Avenue, Suite 200   |                          |                        |
| <b>City, State, Zip</b>  | East Palo Alto, California 94303  |                          |                        |
| <b>Country</b>   | U.S.A.  |                          |                        |
| <b>Telephone</b>   | (650) 327-3400  | <b>Facsimile</b>         | (650) 327-3231         |
| <b>SIGNATURE OF ATTORNEY/AGENT OF RECORD</b>   |   |                          |                        |
| <b>Name/Reg. No.</b>   | James S. Keddie, Ph.D., 48,920  |                          |                        |
| <b>Signature</b>   |  |                          | <b>Date</b> 12-15-2005 |



# COPY

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/501,187                  | Rhonda Hansen         | PP17767.004      |

27476  
Chiron Corporation  
Intellectual Property - R440  
P.O. Box 8097  
Emeryville, CA 94662-8097

HP 12/21/05  
 LD 01/21/06  
 -SEQUEST

|                               |               |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. |               |
| PCT/US03/00657                |               |
| I.A. FILING DATE              | PRIORITY DATE |
| 01/08/2003                    | 01/08/2002    |

**CONFIRMATION NO. 3472**  
**371 FORMALITIES LETTER**

\*OC000000017302570\*

Date Mailed: 10/21/2005

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/08/2004
- Copy of the International Search Report filed on 07/08/2004
- Oath or Declaration filed on 07/08/2004
- U.S. Basic National Fees filed on 07/08/2004
- Priority Documents filed on 07/08/2004

DOCKETED on/by 10/24/05 om  
 Atty. JRP PA  
 File # PP017767.0004  
 Due Date 12/21/05 Ext R55 SL5  
 Final Date 5/21/06 R50 SL0

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825 (d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821

(e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/501,187                  | PCT/US03/00657                | PP17767.004      |